

Patent Application No. 10/002,998

**REMARKS**

This Amendment is in response to the Office Action dated August 15, 2005. In the Office Action, claims 1-9, 12-16 and 24-26 were rejected under 35 U.S.C. §101, and claims 1-26 were rejected under 35 U.S.C. §103. By this Amendment, claim 27 is canceled. Currently pending claims 1-26 are believed allowable, with claims 1, 6, 10, 12, 14-17 and 24 being independent claims.

**SPECIFICATION OBJECTIONS:**

The Office Action objected to the specification and requested "initial node" on page 15, line 7 be amended to "initial content node". By this amendment, "initial node" on page 15, line 7 is amended to "initial content node".

**CLAIM OBJECTIONS:**

The Office Action objected to claim 10 and requested "A method" be amended to "A computer-implemented method". By this amendment, claim 10 is amended to recite "A computer-implemented method". This amendment is not made to overcome any prior-art or for reasons of patentability.

**REJECTIONS UNDER 35 U.S.C. §101:**

Claims 1-9, 12-16 and 24-26 were rejected 35 U.S.C. §101 as allegedly directed to non-statutory subject matter. As support for this rejection, the Office Action states that the claims "raise a question as to whether the claims are directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101."

35 U.S.C. § 101 provides:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The Applicant respectfully submits that 35 U.S.C. §101 does not require inventions to be limited to "technological arts" that produces a "concrete,

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useful, and tangible result." Thus, the Applicant respectfully submits that claims 1-9, 12-16 and 24-26 recite patentable subject matter under 35 U.S.C. §101.

**REJECTIONS UNDER 35 U.S.C. §103:**

Claims 1, 3-12 and 14-26 stand rejected 35 U.S.C. §103 as allegedly unpatentable over U.S. Patent No. 5,802,508 issued to Morgenstern et al. ("Morgenstern") in view of U.S. Patent No. 6,564,263 issued to Bergman et al. ("Bergman") and Megualou et al., "Semantic Abstractions in the Multimedia Domain", Computer Technology Institute (1999).

A *prima facie* case for obviousness can only be made if the combined reference documents teach or suggest all the claim limitations. MPEP 2143.

Claim 1 is amended herein to recite, in part, "creating a new multimedia presentation from the matching multimedia content within the network." Support for this claim element can be found at least at page 9, lines 15-18. It is respectfully submitted that none of the references of record teach or suggest creating a new multimedia presentation from matching multimedia content within the network. Thus, for at least this reason, claim 1 is believed allowable.

Claims 2-5, 25, 26 and 28 are dependent on and further limit claim 1. Since claim 1 is believed allowable for at least the reason above, claims 2-5, 25 and 26 are also believed allowable for at least the same reasons as claim 1.

Claim 6 is amended herein to recite, in part, "creating a new multimedia presentation from the matching related concepts, words, and multimedia content." Support for this claim element can be found at least at page 9, lines 15-18. It is respectfully submitted that none of the references of record teach or suggest creating a new multimedia presentation from the matching related concepts, words, and multimedia content. Thus, for at least this reason, claim 9 is believed allowable.

Claims 7-9 are dependent on and further limit claim 6. Since claim 6 is believed allowable for at least the reason above, claims 7-9 are also believed allowable for at least the same reasons as claim 6.

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Claim 10 is amended herein to recite, in part, "creating a new multimedia presentation from the matching multimedia content within the network." Support for this claim element can be found at least at page 9, lines 15-18. It is respectfully submitted that none of the references of record teach or suggest creating a new multimedia presentation from matching multimedia content within the network. Thus, for at least this reason, claim 10 is believed allowable.

Claim 11 is dependent on and further limits claim 10. Since claim 10 is believed allowable for at least the reason above, claim 11 is also believed allowable for at least the same reasons as claim 10.

Claim 12 is amended herein to recite, in part, "creating a new multimedia presentation from the matching multimedia content within the network." Support for this claim element can be found at least at page 9, lines 15-18. It is respectfully submitted that none of the references of record teach or suggest creating a new multimedia presentation from matching multimedia content within the network. Thus, for at least this reason, claim 12 is believed allowable.

Claim 13 is dependent on and further limits claim 12. Since claim 12 is believed allowable for at least the reason above, claim 13 is also believed allowable for at least the same reasons as claim 12.

Claim 14 is amended herein to recite, in part, "creating a new multimedia presentation from the matching multimedia content within the network." Support for this claim element can be found at least at page 9, lines 15-18. It is respectfully submitted that none of the references of record teach or suggest creating a new multimedia presentation from matching multimedia content within the network. Thus, for at least this reason, claim 14 is believed allowable.

Claim 15 is amended herein to recite, in part, "creating a new multimedia presentation from the retrieved words, content, and/or descriptors within the network." Support for this claim element can be found at least at page 9, lines 15-18. It is respectfully submitted that none of the references of record teach or suggest creating a new multimedia presentation

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from the retrieved words, content, and/or descriptors within the network. Thus, for at least this reason, claim 15 is believed allowable.

Claim 16 is amended herein to recite, in part, "creating a new multimedia presentation from the matched multimedia items." Support for this claim element can be found at least at page 9, lines 15-18. It is respectfully submitted that none of the references of record teach or suggest creating a new multimedia presentation from the matched multimedia items. Thus, for at least this reason, claim 16 is believed allowable.

Claim 17 is amended herein to recite, in part, "means for creating a new multimedia presentation from the matching multimedia content within the network." Support for this claim element can be found at least at page 9, lines 15-18. It is respectfully submitted that none of the references of record teach or suggest creating a new multimedia presentation from matching multimedia content within the network. Thus, for at least this reason, claim 17 is believed allowable.

Claims 18-23 are dependent on and further limit claim 17. Since claim 17 is believed allowable for at least the reason above, claims 18-23 are also believed allowable for at least the same reasons as claim 17.

Claim 24 is amended herein to recite, in part, "seventh instructions for creating a new multimedia presentation from the matching multimedia content within the network." Support for this claim element can be found at least at page 9, lines 15-18. It is respectfully submitted that none of the references of record teach or suggest creating a new multimedia presentation from matching multimedia content within the network. Thus, for at least this reason, claim 24 is believed allowable.

#### CONCLUSION


In view of the forgoing remarks, it is respectfully submitted that the pending Application is now in condition for allowance and such action is respectfully requested. If any points remain at issue that the Examiner feels could best be resolved by a telephone interview, the Examiner is urged to contact the attorney below.

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No additional Fee is believed due with this Amendment, however, should a fee be required please charge Deposit Account 50-0510. Should any extensions of time be required, please consider this a petition thereof.

Respectfully submitted,

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**MARKUP SHEET**

Please replace the paragraph beginning at line 3, page 15 of the present application with the following paragraph:

For example, the input query may find an initial match to node (607), which is a word or content node associated with concept (608). Then, the arcs (611 and 612) expanding from (608) are evaluated and traversed to find connected concept nodes (609 and 610). Then, the words and content associated with these nodes (614 and 615) as well as the words and content associated with the initial content node (613) are returned to the search engine in step (606). These items can then be returned by the query processor in step (604).